

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

-against-

**ROBERT J. MUELLER, DEEPROOT FUNDS
LLC (a/k/a dprt Funds, LLC), AND POLICY
SERVICES INC.,**

Defendants,

-and-

**DEEPROOT TECH LLC, DEEPROOT
PINBALL LLC, DEEPROOT STUDIOS LLC,
DEEPROOT SPORTS & ENTERTAINMENT
LLC, DEEPROOT RE 12621 SILICON DR LLC,
AND ROBERT J. MUELLER, JEFFREY L.
MUELLER, AND BELINDA G. BREEN, AS CO-
TRUSTEES OF THE MB HALE OHANA
REVOCABLE TRUST,**

Relief Defendants.

Civil Action No.: 5:21-cv-785-XR

**AGREED MOTION TO AMEND THE EXPERT DISCOVERY DEADLINES IN
NOVEMBER 10, 2022 SCHEDULING ORDER**

TO THE HONORABLE COURT:

Plaintiff, Securities and Exchange Commission (“SEC”) and Defendant, Robert J. Mueller (“Mueller”) (together the “Parties”), in accordance with Fed. R. Civ. P. 16(b)(4) and this Court’s General Pretrial Procedures submit this Agreed Motion to Amend the Expert Discovery Deadlines in the Court’s November 10, 2022 Scheduling Order along with a proposed Order. The Parties have worked collegially and diligently on discovery in accordance with the Court’s November 10, 2022 Amended Scheduling Order (ECF No. 72). However, the Parties believe that a modest modification of the current expert discovery deadlines is appropriate to allow for some additional

fact discovery to occur. The Parties are conferring about additional proposed modifications to the Court's November 10, 2022 Scheduling Order, and plan to move to modify some or all of the remaining dates in the Court's November 10, 2022 Scheduling Order at a later date. Counsel for the Defendant is conferring with counsel for the Trustee in the related bankruptcy proceedings about a potential abatement of an adversary proceeding filed by the Trustee against Mr. Mueller, which involves factual and legal issues that may overlap with this case and in which a scheduling order with potentially conflicting deadlines has been entered.

Accordingly, the Parties agree that good cause exists for the following changes to the Court's Amended Scheduling Order (ECF No. 72).

| <u>Deadline</u> | <u>Original Date</u> | <u>Requested New Date</u> |
|-----------------------------|-----------------------------|----------------------------------|
| Plaintiff's Expert Reports: | February 20, 2023 | March 17, 2023 |
| Defendant's Expert Reports: | March 10, 2023 | April 6, 2023 |
| Rebuttal Reports: | March 31, 2023 | April 27, 2023 |

Date: February 15, 2023

Respectfully submitted

/s/ Kristen M. Warden

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Attorneys for Robert J. Mueller

CERTIFICATE OF SERVICE

I certify that on the 15th day of February 2023, a true and correct copy of the foregoing document was filed electronically through the Court's CM/ECF system, which will send copies to all counsel of record.

/s/ Kristen M. Warden

Kristen M. Warden

*Counsel for Plaintiff United States Securities
and Exchange Commission*